

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

LUIS EDUARDO MARTINEZ-TORRES

Case No.

2:23-mj-376

*Defendant(s)*

## CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2023 through June 2023 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section*

21 U.S.C. §§ 846 &amp; 841(a)(1)

*Offense Description*

Conspiracy to possess with intent to distribute, a mixture or substance  
 containing a detectable amount of fentanyl, in violation of 21 U.S.C. §§ 841  
 (a)(1)

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

ROBERT KUKOVEC

Digitally signed by ROBERT KUKOVEC  
Date: 2023.06.21 01:35:26 -04'00'*Complainant's signature*

Robert Kukovec, Special Agent (HSI)

*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone (specify reliable electronic means).Date: 06/21/2023City and state: Columbus, Ohio

Chelsey M. Vascura

United States Magistrate Judge

Chelsey M. Vascura, U.S. Magistrate Judge

*Printed name and title*

## **AFFIDAVIT IN SUPPORT OF ARREST WARRANT**

I, **Robert Kukovec**, being first duly sworn, hereby depose and state as follows:

### **INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI). I have been employed as a Special Agent since April 2002, and I am currently assigned to the HSI office in Columbus, Ohio. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. I am currently assigned to a multi-jurisdictional narcotics task force in the central Ohio area, and I am cross-designated to investigate violations of Title 21 of the United States Code. Prior to my employment with HSI (and formerly U.S. Customs), I was employed as a police officer in the state of Ohio for approximately 8.5 years. My responsibilities and duties include the investigation and enforcement of federal laws and regulations related to customs and immigration violations, including but not limited to narcotics, financial crimes, fraud, and violations of the Immigration and Nationality Act.

2. The information set forth in this affidavit is based upon my knowledge, training, experience, and participation in investigations involving the smuggling, possession, distribution, and storage of narcotics and narcotics proceeds. This information is also based on the knowledge, training, experience, and investigations conducted by fellow law enforcement officers, which have been reported to me either directly or indirectly. I believe this information to be true and reliable. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Your affiant did not withhold any information or evidence that would negate probable cause. I know it is a violation of 21 U.S.C.

§ 846 for any person to conspire with others to knowingly or intentionally distribute, or possess with intent to distribute, a controlled substance.

**PROBABLE CAUSE**

3. In April 2023, HSI Columbus and the Delaware County Drug Task Force (DCDTF) developed information in reference to two (2) unknown Hispanic males operating a drug trafficking organization (DTO) in the central Ohio area selling fentanyl to drug users/dealers in various counties, including Franklin County, Delaware County, Union County, Licking County, Pickaway County, Logan County, and Hardin County. One of the targets was later identified as **Lino ISIORDIA-HERNANDEZ** who appeared to be the “dispatcher” for this DTO, the subject who receives the calls from the drug users, takes the orders for the narcotics, and then dispatches a “runner” to deliver the narcotics to the drug users. The other target was later identified as **Luis Eduardo MARTINEZ-TORRES** who appeared to be the “runner” for this DTO, the subject who delivers the narcotics to the drug users at the direction of the “dispatcher.”

4. On April 11, 2023, HSI Columbus and the DCDTF were requested to assist the Union County Drug Task Force (DTF) and the Harden County DTF with surveillance of a known drug target from Hardin County that typically travelled to Delaware, Ohio or near the Delaware/Franklin County lines to purchase narcotics from some unknown Hispanic targets. Surveillance units eventually followed this target to the parking lot of the Mall at Tuttle Crossing in Dublin, Ohio where the target was observed meeting with ISIORDIA-HERNANDEZ and MARTINEZ-TORRES in a light blue 2010 Nissan Maxima (Ohio registration JUZ2688) registered to “Olivares LLC” in Columbus, Ohio. ISIORDIA-HERNANDEZ was the driver of the vehicle and MARTINEZ-TORRES was the front seat passenger. The target got in the backseat of the light blue Nissan Maxima and met briefly with ISIORDIA-HERNANDEZ and MARTINEZ-TORRES.

After a few minutes, the target exited the light blue Nissan Maxima and returned to his vehicle. This type of activity and brief meetings in a public parking lot between two parties was indicative of a drug transaction based on your affiant's training and experience.

5. After the meeting, the vehicles both departed the location. Surveillance units with the Hardin County DTF and the Union County DTF followed the original target vehicle away as it travelled back toward Hardin County, and surveillance units with the DCDTF and HSI Columbus followed the light blue 2010 Nissan Maxima with ISIORDIA-HERNANDEZ and MARTINEZ-TORRES. The light blue Nissan Maxima then travelled to the parking lot at the Walmart store in Dublin, Ohio (Sawmill Road) and was observed meeting briefly with another vehicle in the same manner as previously described indicative of another drug transaction based on your affiant's training and experience. This vehicle was identified as being from Hardin County as well. This information was passed on to the Hardin County DTF. As both vehicles departed the area, surveillance was maintained on the light blue Nissan Maxima by the DCDTF until it was lost in traffic. However, a short time later, investigators located it parked outside an apartment complex off Teakwood Drive in Columbus, Ohio where this vehicle was previously linked through open-source records and intelligence.

6. Investigators later discovered that the Hardin County DTF was able to stop the target vehicle from the meet at the Mall at Tuttle Crossing with the light blue 2010 Nissan Maxima upon its return to Hardin County for a traffic violation. During the traffic stop, investigators discovered and seized approximately fourteen (14) grams of fentanyl (lab results confirmed it was fentanyl). The Hardin County DTF also located and stopped the other vehicle that met with the light blue Nissan Maxima in the Walmart parking lot shortly after the first meet upon his/her return to Hardin County for a traffic violation. No narcotics were found, but the driver cooperated with

investigators and admitted that he/she swallowed approximately two (2) grams of fentanyl while he was being stopped by the marked police cruiser. The driver acknowledged he/she just purchased the narcotics in Columbus, Ohio that he/she just swallowed and admitted it was fentanyl. During the course of their investigation from these two traffic stops, the Hardin County DTF identified the phone number (614-420-5604) one of these subjects contacted to place their narcotics orders.

7. The DCDTF obtained a pen register and phone ping order/warrant for phone number 614-420-5604 (the “dispatch” line) through the Franklin County Court of Common Pleas in Columbus, Ohio. The DCDTF also obtained a search warrant for a GPS vehicle tracker for the light blue 2010 Nissan Maxima (Ohio registration JUZ2688) through the Franklin County Municipal Court in Columbus, Ohio. Investigators were unable to locate the light blue Nissan Maxima in the vicinity of Teakwood Drive in Columbus, Ohio, but did eventually locate it parked at 192 Derrer Road in Columbus, Ohio, which also matched the general location of the phone ping for the “dispatch” line.

8. In May 2023, surveillance conducted by the DCDTF determined both ISIORDIA-HERNANDEZ and MARTINEZ-TORRES lived at 192 Derrer Road in Columbus, Ohio. They would both leave the residence together in the morning in the light blue 2010 Nissan Maxima. ISIORDIA-HERNANDEZ would always drive the light blue Nissan Maxima. During one surveillance, investigators observed both subjects travel in the light blue Nissan Maxima to the apartment complex off of Teakwood Drive in Columbus, Ohio and identified the specific apartment they visited as 2371 Teakwood Drive. ISIORDIA-HERNANDEZ was observed locking the door to this apartment upon their exit after staying there for only a short period of time.

9. On May 5, 2023, HSI Columbus and the DCDTF with assistance from the Hardin County DTF conducted a controlled buy of fentanyl from this DTO in Kenton, Ohio (Harding County) utilizing a confidential informant (CI). This CI previously overdosed after buying suspected fentanyl from this DTO. The CI contacted the DTO via a text message to the “dispatch” line (614-420-5604) requesting to purchase two (2) grams of fentanyl. MARTINEZ-TORRES showed up by himself in a dark gray 2014 Honda Accord (Ohio registration KBC5486) registered to “Hernandez LLC” in Dublin, Ohio to conduct the drug transaction with the CI in Kenton, Ohio. The CI paid \$120 (\$60/gram) utilizing pre-recorded DCDTF buy money to purchase two (2) grams of suspected fentanyl from MARTINEZ-TORRES. MARTINEZ-TORRES was then observed going to another residence in Kenton, Ohio in his dark gray Honda Accord and met with another subject known to the Hardin County DTF as being involved in drug trafficking locally in their area. MARTINEZ-TORRES appeared to conduct another brief meeting with this individual in his vehicle while parked in front of the house. This appeared to be indicative of another drug transaction based on your affiant’s training and experience. MARTINEZ-TORRES then travelled back to Columbus, Ohio in the dark gray Honda Accord.

10. The DCDTF obtained a search warrant for a GPS vehicle tracker for the dark gray 2014 Honda Accord (Ohio registration KBC5486) through the Franklin County Municipal Court in Columbus, Ohio.

11. On May 19, 2023, HSI Columbus and the DCDTF conducted another controlled buy of fentanyl from this DTO in Dublin, Ohio utilizing a CI. The CI contacted the DTO via a text message to the “dispatch” line (614-420-5604) requesting to purchase four (4) grams of fentanyl. MARTINEZ-TORRES showed up by himself again in the dark gray 2014 Honda Accord

(Ohio registration KBC5486). The CI paid \$240 (\$60/gram) utilizing pre-recorded DCDTF buy money to purchase four (4) grams of suspected fentanyl from MARTINEZ-TORRES.

12. Throughout May 2023 and June 2023, investigators conducted physical and static surveillance numerous times on ISIRDIA-HERNANDEZ, MARTINEZ-TORRES, both of their vehicles, and the residences at 192 Derrer Road in Columbus, Ohio and 2371 Teakwood Drive in Columbus, Ohio. Investigators also utilized the information obtained from the vehicle GPS trackers, the phone ping on the “dispatch” line, and video surveillance platforms to analyze the movements and activities of ISIRDIA-HERNANDEZ and MARTINEZ-TORRES. During the course of these surveillances, investigators observed what appeared to be drug trafficking activity being conducted numerous times throughout the central Ohio area based on your affiant’s training and experience. MARTINEZ-TORRES was specifically observed travelling to Ashville, Ohio (Pickaway County); Pataskala, Ohio (Licking County); Kenton, Ohio (Hardin County); Marysville, Ohio (Union County); Russells Point, Ohio (Logan County); West Liberty, Ohio (Logan, County), Bellefontaine, Ohio (Logan County), Lakeview, Ohio (Logan County); and various locations throughout Franklin County. Investigators identified several top common target phone numbers that contacted the “dispatch” line from the pen register, and then identified who those phone numbers belonged to throughout the central Ohio area. Investigators witnessed the owners of several of these top phone numbers do quick meets with MARTINEZ-TORRES in his dark gray 2014 Honda Accord at various locations in the above listed cities/counties after their phone numbers would contact the “dispatch” line. Some of these meets were passed along to the Logan County DTF who conducted interdiction traffic stops on some of these targets after they met with MARTINEZ-TORRES. A total of approximately 45 grams of suspected fentanyl was seized from ISIRDIA-HERNANDEZ and MARTINEZ-TORRES between the two (2)

controlled buys by the DCDTF and the interdiction stops by the Logan County DTF and the Hardin County DTF during this investigation.

13. Throughout the investigation, the “dispatch” line was always with ISIORDIA-HERNANDEZ based on the phone ping and never with MARTINEZ-TORRES or near where any of the drug transactions took place. Furthermore, ISIORDIA-HERNANDEZ appeared to be the only one with access to 2371 Teakwood Drive in Columbus, Ohio, and he appeared to be the only one that predominantly went to that location. No one else was ever observed coming and going from there based on continuous video surveillance of that location, so it appeared no one was actually residing at that location. ISIORDIA-HERNANDEZ would typically go to 2371 Teakwood Drive on a daily basis, or at least every other day, and he would typically stay there for short periods of time. Occasionally, ISIORDIA-HERNANDEZ would stay there for a few hours at a time, or he would go there multiple times a day. Based on your affiant’s training and experience, this is indicative of being a “stash house” at 2371 Teakwood Drive. A “stash house” would be a location used by a DTO to store and break down their bulk narcotics that would be separate from where the DTO members actually lived.

14. Investigators also discovered that MARTINEZ-TORRES never parked his dark gray 2014 Honda Accord at the residence at 192 Derrer Road in Columbus, Ohio. Only the light blue 2010 Nissan Maxima driven by ISIORDIA-HERNANDEZ would park at 192 Derrer Road. Typically, MARTINEZ-TORRES would park the dark gray Honda Accord at various different apartment complexes near 192 Derrer Road at the end of the day, and ISIORDIA-HERNANDEZ would then pick him up in the light blue Nissan Maxima and drive them both to 192 Derrer Road to spend the night. Then the next day, ISIORDIA-HERNANDEZ would drive MARTINEZ-TORRES in the light blue Nissan Maxima back to the location of the dark gray Honda Accord and



drop MARTINEZ-TORRES off. MARTINEZ-TORRES would then begin his day travelling around while ISIORDIA-HERNANDEZ would return to 192 Derrer Road or go to 2371 Teakwood Drive. On several occasions, investigators physically observed or witnessed through the GPS vehicle tracker data that ISIORDIA-HERNANDEZ would have to meet up briefly with MARTINEZ-TORRES throughout the day. During one of these meets, investigators witnessed ISIORDIA-HERNANDEZ throw something white to MARTINEZ-TORRES through their open car windows. MARTINEZ-TORRES would then go back to travelling around central Ohio. ISIORDIA-HERNANDEZ would typically come straight from 192 Derrer Road to meet up with MARTINEZ-TORRES, or he would go to 2371 Teakwood Drive first and then meet with MARTINEZ-TORRES. Based on your affiant's training and experience, these meets throughout the day were consistent with ISIORDIA-HERNANDEZ resupplying MARTINEZ-TORRES with more fentanyl.

15. On June 19, 2023, the DCDTF obtained search warrants through the Franklin County Municipal Court in Columbus, Ohio for 2371 Teakwood Drive (Columbus, Ohio), 192 Derrer Road (Columbus, Ohio), the dark gray 2014 Honda Accord (Ohio registration KBC5486), and the light blue 2010 Nissan Maxima (Ohio registration JUZ2688). These search warrants were executed on June 20, 2023. The light blue Nissan Maxima was parked in the driveway of 192 Derrer Road and the dark gray Honda Accord was parked near 3588 Farm Hurst Lane in Columbus, Ohio. The search warrant at 2371 Teakwood Lane resulted in the discovery and seizure of approximately 2,100 grams of fentanyl powder, 700 grams of suspected fentanyl pills, kilogram drug wrappers, drug paraphernalia, a digital scale, and wire transfer receipts. The suspected fentanyl pills were all located inside a Pringles potato chip can and the fentanyl powder was located inside the wall under the ledge to the staircase railing. Investigators have video surveillance of

ISIORDIA-HERNANDEZ carrying the Pringles can into that apartment on June 16, 2023. The search warrant at 192 Derrer Road resulted in the discovery and seizure of approximately eight (8) grams of powdered fentanyl, some suspected fentanyl pills, two (2) grams of methamphetamine, \$5,039 cash, four (4) cellular phones, and a digital scale as well as the arrests of both ISIORDIA-HERNANDEZ and MARTINEZ-TORRES. It also appeared to law enforcement that ISIORDIA-HERNANDEZ attempted to flush some narcotics in the toilet while the tactical team was making entry. There was a trail of blood from ISIORDIA-HERNANDEZ's bedroom to the bathroom where several suspected fentanyl pills were discovered floating inside the water in the toilet bowl. ISIORDIA-HERNANDEZ had a cut on his foot that was bleeding when he was taken into custody by the tactical team. The search warrant on the dark gray Honda Accord resulted in the discovery and seizure of approximately nine (9) grams of suspected fentanyl and some suspected marijuana. The fentanyl powder seized from both 192 Derrer Road and 2371 Teakwood field tested positive for fentanyl utilizing the Thermo Scientific TruNarc Analyzer. The methamphetamine from 192 Derrer Road also field tested positive for methamphetamine utilizing the TruNarc Analyzer. The field tests of the suspected fentanyl pills seized from both locations utilizing the TruNarc Analyzer were inconclusive. The TruNarc Analyzer could only test the outside coating of the pills which field tested positive for acetaminophen, but it could not analyze the composition of the interior of the pills. Based on your affiant's training and experience as well as previous seizures of confirmed fentanyl pills that were field tested with the TruNarc Analyzer, they also field tested positive for acetaminophen on the outside coating of the pills.

16. Record checks on ISIORDIA-HERNANDEZ and MARTINEZ-TORRES indicated both subjects were Mexican nationals illegally present in the United States. MARTINEZ-TORRES was previously deported in both 2016 and 2020, and he was convicted of

illegal entry in 2020. ISIORDIA-HERNANDEZ was previously removed from the United States in June 2022 under Title 42. ISIORDIA-HERNANDEZ advised investigators he arrived in the United States illegally around November 2022 and MARTINEZ-TORRES advised investigators he arrived in the United States around the first week of April 2023.

### **CONCLUSION**

17. Based on the facts set forth in this Affidavit, there is probable cause to believe that beginning on an exact date unknown but at least April 2023 and continuing up to and including June 20, 2023, in the Southern District of Ohio and elsewhere, **Lino ISIORDIA-HERNANDEZ** and **Luis Eduardo MARTINEZ-TORRES**, along with others known and unknown, conspired to knowingly and intentionally distribute and possess with intent to distribute, a mixture or substance containing a detectable amount of fentanyl, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C).

ROBERT KUKOVEC  Digitally signed by ROBERT KUKOVEC  
Date: 2023.06.21 01:37:11 -04'00'

Robert Kukovec  
Special Agent  
Homeland Security Investigations

Subscribed and sworn to before me on this 21st day of June, 2023

  
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CHELSEY M. VASCURA  
UNITED STATES MAGISTRATE JUDGE